

Examiner-Initiated Interview Summary	Application No. 09/643,755	Applicant(s) VAN ROOIJEN ET AL.	
	Examiner Cathy K. Worley	Art Unit 1638	

All Participants:

Status of Application: _____

(1) Cathy K. Worley.

(3) _____

(2) Micheline Gravelle.

(4) _____

Date of Interview: 20 December 2007

Time: _____

Type of Interview:

- ☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No

If Yes, provide a brief description:

Part I.

Rejection(s) discussed:

Rejection under 35 USC 103.

Claims discussed:

All

Prior art documents discussed:

Kusnadi et al; Willmitzer et al; and Sardana et al (Recombinant proteins from plants (1998) eds: Cunningham and Porter, pp. 77-87).

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

- ☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: The Examiner called the attorney on Dec. 17, 2007, to indicate that although the previous rejection under 35 USC 103 would be withdrawn in light of the Applicant's affidavit, a new rejection under 35 USC 103 would be written that would rely upon Sardana et al who teach that a therapeutic protein was extracted from seeds by grinding in a mortar with a pestle in an aqueous extraction buffer (page 83 and page 80). The Examiner indicated that the nucleic acid sequence of SEQ ID NO:1 was free of the prior art, however, and therefore, if the Applicant would approve of Examiner's amendments that would limit the claims in scope to methods that utilize nucleic acids comprising SEQ ID NO:1, then such claims would be allowed. The attorney called back on Dec. 20, 2007, and approved of Examiner's amendments that limit the claims in scope to methods that utilize nucleic acids comprising SEQ ID NO:1.